



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : CARLIN et al. Confirmation No: 7758
Appl. No. : 09/700,712
Filed : November 13, 2001
Title : Method of producing *thy* a-strains of *vibrio*
Cholerae, such strains and their use
TC/A.U. : 1645
Examiner : S. Devi

Docket No.: : CARL3004/JDB
Customer No: : 23364

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Official Action of March 24, 2004, in connection with the above-identified application which requires restriction.

The period for response to this Official Action has been extended to expire on June 24, 2004 by the filing herewith of a Petition for a Two Month Extension of Time and payment of the required fee.

In the Official Action it is urged that there are three separate and distinct inventions claimed and there is a lack of unity under PCT Rule 13.2. In accordance with this requirement, applicants elect the group I invention drawn to a method of producing a *thy* A⁻ strain of *Vibrio cholerae* comprising the step of site-directed mutagenesis at the *thy* A gene locus; a *thy* A⁻ strain of *Vibrio cholerae*; and a vaccine comprising the same. The election is made with traverse in that claims 10 and 11 directed to the nucleotide sequence of 5'-flanking region of a structural *thy* A gene of *Vibrio cholerae* defined by SEQ ID NO:2, and a nucleotide sequence of 3'-flanking region of a structural *thy* A gene of *Vibrio*

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cholerae defined by SEQ ID NO:3, respectively, are both comprised by the SEQ ID NO:1 disclosed in claim 9, and therefore applicants believe that all claims should be examined and allowed in the same application as the group I invention.

Applicants note the filing of an Information Disclosure Statement and request that the information contained therein be made of record in the present application.

In view of the above election of the group I invention, with traverse, an early and favorable action on the merits of all the claims now present in the application are most respectfully requested.

Respectfully submitted,

BACON & THOMAS, PLLC

Date: June 23, 2004

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